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May 27, 2021

Via ECF

Hon. John G. Koeltl, U.S.D.J.
United States District Court
Southern District Of New York
500 Pearl St.
New York, NY 10007-1312

APPLICATION GRANTED
SO ORDERED

J. Koeltl
5/27/21
John G. Koeltl, U.S.D.J.

**Re: Shinji Ujiie v. New Life Sushi, Inc., et al.,
(S.D.N.Y. Docket No. 19-cv-10996 (JGK)(DCF))**

Dear Judge Koeltl:

We represent defendants New Life Sushi, Inc. d/b/a Sushi Seki Upper East Side, 365 Seki, Inc., d/b/a Sushi Seki Times Square, Bi Hang Cheng, and Zhong Shen Shi a/k/a Seki (collectively hereinafter, "Defendants"), in the above-referenced matter. We write on behalf of all parties to jointly request an extension of time, from May 28, 2021 to June 4, 2021, to file a joint motion and proposed agreement settling Plaintiff's Fair Labor Standards Act claims, pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015) and this Court's May 17, 2021, Order (ECF No. 38). This is the parties' first request for an extension of time to file their settlement proposal.

Several events presenting logistical challenges make this extension request necessary. Counsel for Plaintiff was out of the office last week on a planned vacation. Counsel for both parties have also been managing crowded litigation and counseling schedules that have temporarily delayed finalization of the parties' joint motion pursuant to *Cheeks*. Further, as the Court is aware, Defendants Sushi Seki Times Square and Sushi Seki Upper East Side are sushi restaurants in Manhattan. Defendants are re-opening their businesses to full capacity amidst the upcoming holiday weekend, and this brief extension of time will allow counsel to obtain the required signatures for the proposed agreement during this busy time.

Accordingly, the parties respectfully request that the Court permit them to file their motion and proposed settlement agreement by June 4, 2021.

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The parties thank Your Honor for his consideration of this joint request.

Respectfully submitted,

/s/ John B. Fulfree

John B. Fulfree

cc: *All Counsel of Record (Via ECF)*